

Transcript of USDA Meeting

Case:

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURE MARKETING SERVICE

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NATURALLY RAISED LIVESTOCK AND MEAT MARKETING CLAIM
LISTENING SESSION

- - -

THURSDAY, JANUARY 18, 2007
1:00 P.M. to 2:07 P.M.

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SEATTLE MARRIOTT SEATAC AIRPORT
3201 SOUTH 176TH STREET
SEATTLE, WASHINGTON 98188

1 ATTENDEES:

2 FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE:

3 WILLIAM T. SESSIONS
Associate Deputy Administrator
4 Livestock and Seed Program

5 MARTIN E. O'CONNOR
Chief, Standards, Analysis and Technology Branch
6 Livestock and Seed Program
Agricultural Marketing Service

7 TAMMIE MYRICK
8 Office of Policy, Program and Employee Development
Labeling and Consumer Protection Staff
9 Food Safety and Inspection Service

10 PUBLIC/STAKEHOLDERS:

11 DARRELL WOODS
12 Founder and President
Panorama Meats, Inc.
13 Vina, California

14 MEL COLEMAN, JR.
Chairman
15 Coleman Natural Foods
Golden, Colorado

16 DENNIS M. STIFFLER, Ph.D.
17 Executive Vice President of Food Safety
Coleman Natural Foods
18 Golden, Colorado

19 MARK S. ROBERTS
Corporate Manager Technical Services and Regulatory
20 Affairs
Hormel Foods Corporate Services

21 STEPHEN GRAY
22 Director, Special Projects
Springer Mountain Farms

23 CORBETT KLUSTER
24 Director, Quality Assurance
Fieldale Farms Corporation
25 Baldwin, Georgia

1 ATTENDEES:

2 PUBLIC/STAKEHOLDERS (CONT'D)

3 JEREMY RUSSELL
Director of Communications and Government
4 Regulations
National Meat Association

5 STEVE COLLIER
6 Vice President of Operations
Fieldale Farms Corporation
7 Baldwin, Georgia

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C O N T E N T S

- 1
- 2 1. Welcome and Opening Comments
- 3 - By William T. Sessions
- 4 2. Marketing Claims and Their Functions
- 5 in USDA Programs
- 6 - By William T. Sessions
- 7 - Overview of Requests for Certified
- 8 Naturally Raised
- 9 By Martin E. O'Connor
- 10 3. PUBLIC/STAKEHOLDERS INPUT:
- 11 - Darrell Woods
- 12 Panorama Meats
- 13 - Mel Coleman, Jr.
- 14 Coleman Natural Foods
- 15 - Dennis M. Stiffler, Ph.D.
- 16 Coleman Natural Foods
- 17 - Mark S. Roberts
- 18 Hormel Foods Corporate Services
- 19 - Stephen Gray
- 20 Springer Mountain Farms
- 21 - Corbett Kluster
- 22 Fieldale Farms Corporation
- 23 4. Closing Comments
- 24
- 25

P R O C E E D I N G S

(1:00 P.M.)

WELCOME AND OPENING COMMENTS

MR. SESSIONS: Good afternoon. It appears we're at the appointed hour, and we will get our listening session started.

I'm Bill Sessions, associate deputy administrator of the Livestock and Seed Program of the Agricultural Marketing Service. I want to welcome each and every one of you to our listening session on the Naturally Raised Livestock and Meat Marketing Claim. We appreciate your participation in this process.

We're here today to learn from our customers. We're looking for recommendations and suggestions from you to enable us to develop a standard that will define the term "naturally raised." The standard that the Agricultural Marketing Service intends to develop will specify what protocols farmers and ranchers should follow to claim the livestock they produce are naturally raised.

Today's listening session is the third of three listening sessions AMS has scheduled. The first session was conducted in Washington, D.C., on December the 11th, and the second was conducted yesterday in Denver.

As you know, FSIS currently permits processors to claim that meat and poultry products are natural,

1 provided that these products undergo minimal processing
2 and contain no artificial flavors or added colors, no
3 chemical preservatives, or any other synthetic
4 ingredients.

5 However, consumers have indicated an interest
6 in natural livestock production practices, and that's
7 what we're here to discuss today. Growing consumer
8 demand for natural products and a variety of claims make
9 a published and uniform standard a good idea both for our
10 producers and consumers.

11 Today's listening session gives us a chance to
12 hear what our customers view as an appropriate guideline
13 to meet the claim of naturally raised.

14 Our starting point is consumer research, which
15 indicates that those who want to buy natural products
16 particularly want the option to choose meat and poultry
17 raised without the use of antibiotics and hormones.

18 Some customers also want to be assured that
19 meat and poultry marketed as naturally raised comes from
20 animals that, for example, have not been fed animal
21 by-products, have been raised on a vegetarian diet, have
22 lived under free-range conditions, and have been raised
23 with regard to animal welfare concerns.

24 Without a uniform standard it's difficult to
25 sort through different claims in the marketplace today.

1 A consistent understanding of naturally raised will
2 reduce confusion and variation and bring transparency to
3 the marketplace, benefiting both producers and consumers.

4 Currently FSIS relies on testimonials and
5 affidavits that producers provide to verify claims about
6 livestock production practices that producers are calling
7 "natural." These documents must include the producers'
8 operational protocols describing in detail the production
9 practices they use to support the labeling claims.

10 FSIS reviews this information on a case-by-case
11 basis; however, having a standard to measure the claims
12 against would reduce variation in the marketplace,
13 increasing consumer confidence in the products.

14 Maybe a word of explanation about the roles of
15 AMS and FSIS would be helpful. AMS is responsible for
16 developing uniform marketing standards. The Agency often
17 works with FSIS Labeling and Consumer Protection Staff to
18 create voluntary standards for marketing claims that will
19 be verified by a third party.

20 If AMS publishes a naturally raised livestock
21 marketing claim, FSIS will consider this document as the
22 minimum standard for approving producer assertions that
23 their livestock and poultry are naturally raised.

24 FSIS will continue to have overall
25 responsibility for meat labeling and oversight of the

1 term "natural" both for processing and for the livestock
2 production practices.

3 Following the three listening sessions, AMS
4 will take your comments and recommendations and work to
5 develop a proposed standard for naturally raised
6 livestock.

7 The Agency will publish the proposed standard
8 in the Federal Register for public comment. After
9 evaluating the comments, we will publish in the Federal
10 Register again a final marketing claim standard for
11 naturally raised livestock and the meat products derived
12 from such livestock.

13 Again I'm glad you're all here today prepared
14 to share your views and recommendations. We appreciate
15 your taking time to help us develop the standard which
16 reflects public and producer interest and will provide
17 increased transparency in the marketplace.

18 Now, to help differentiate between what the
19 AMS's and FSIS's role is in this developmental process, I
20 have Martin O'Connor, who is the chief of our Standards,
21 Analysis and Technology Branch here with AMS, and also
22 Tammie Myrick, who is the project leader with the
23 Labeling and Consumer Protection Staff of FSIS.

24 And each of them will go through the various
25 roles of both the naturally raised livestock claim and

1 the natural meat products.

2 So, Marty, would you brief us on your section?

3 OVERVIEW OF REQUESTS FOR CERTIFIED NATURALLY RAISED

4 (PowerPoint presentation in progress.)

5 MR. O'CONNOR: Thank you, Bill, and good
6 afternoon, everybody.

7 What I would like to do is start out by
8 covering a few issues -- as Bill's already pointed out to
9 a degree -- the differentiation between the Agricultural
10 Marketing Service and the Food Safety Inspection Service
11 and where -- even though we work under two different
12 regulatory authorities, there are areas that do overlap
13 and we work together as Bill has pointed out earlier.

14 So some of the things I want to do this
15 afternoon is talk about the roles of AMS and FSIS; get
16 into a little bit of the background on the -- the
17 regulatory background for natural -- and again, that's
18 more of an FSIS issue, but we want to show where there is
19 some overlap between their agency and ours; then the
20 perceptions out there or what the expectations are from
21 the consumer or the marketplace itself; and what impact
22 does the current regulations -- or the requirements or
23 approvals for the term "natural" cover.

24 Also I next want to talk about alternative
25 livestock production activities, or voluntary standards

1 that can be -- or voluntary labeling standards that can
2 be addressed and marketed as to assist people in
3 marketing their product and -- as well as some of those
4 have -- what is termed internally as the "negative
5 raising claims."

6 We want to look at some of the production
7 practices that impact both natural or naturally raised,
8 and what are the current FSIS claim verification
9 procedures.

10 Some key issues that we need to consider when
11 AMS is looking at development of the standard, what we
12 have to do, and finally we have some selected examples of
13 current programs that are making some reference to
14 natural raising claims or the term "natural," but taking
15 them back to the production activity and either
16 differentiating them from processing or including
17 processing in that as well.

18 Along with that, I have a few more examples of
19 what -- some of the issues have been raised to us
20 throughout some of these listening sessions as input that
21 we received through either e-mail or the conventional
22 mail method. And I'll just have those up there to
23 provoke a little bit of thought or help in the input
24 process or at least let you know what we're looking at or
25 have to consider once we get going on this program.

1 The Agricultural Marketing Service --
2 again that's the Agency that myself and Bill represent --
3 our authority comes from the Agricultural Marketing Act
4 of 1946. That gives us authority to provide voluntary
5 processes and assist in the marketing of meat and meat
6 products. And so any voluntary standards or programs
7 would fall under that.

8 Currently, as many of you may know, we have
9 programs that are called "Process Verified Programs."
10 "Quality Assistance Assurance Programs." We develop the
11 grade standards for beef, lamb, and pork.

12 Even though it's primarily done in beef and
13 lamb, those are voluntary standards that -- or
14 administered -- developed and administered by us, as well
15 as the PVP-type programs or the QSA-type programs, in
16 addition to those grade standards where we actually apply
17 the U.S. official grades to those beef carcasses for
18 quality and yield -- and for lamb -- for the same
19 characteristics.

20 Okay. I thought I was dead there.

21 Now, I'll get to a little bit of FSIS -- Tammie
22 will probably get into a little bit more detail of what
23 their roles and responsibilities are, but basically
24 they're covered by three different acts. And they are
25 the Health Regulatory Authority within the USDA, and they

1 look for meat, poultry, and egg production for safe,
2 wholesomeness, and accurately labeling.

3 So that third point there, "accurately
4 labeling," that's really where we interact the most in
5 all of the activities that we perform; whether it's a
6 brand of beef program, a PVP pork program, or anything of
7 that nature. Even though we set the requirements and the
8 protocols of what has to be addressed by any program to
9 get approval and be able to use the USDA certified or
10 USDA process verified shield in their marketing, that
11 still must meet the FSS -- excuse me -- FSIS requirements
12 for proper labeling, which is truthful and accurate
13 labeling.

14 So even though you get approval through us at
15 AMS for a program, any labeling or marketing claims still
16 have to be approved through FSIS.

17 Oh, I enjoy getting screwed up here. Let's
18 see. Okay. All right. Now maybe I'm back on track.

19 A little bit of regulatory background for
20 natural. FSIS permits natural claims on meat and poultry
21 products. These are voluntary labeling assertions, and
22 they are in addition to what would be required for any
23 labeling approval that they would have and provide that
24 the product does not contain artificial flavorings,
25 coloring, or chemical -- that Bill had pointed out

1 earlier -- or other preservatives and synthetic
2 ingredients and that the product is minimally processed.

3 A couple quick examples of products that have
4 this approval -- and you can see that they have to put
5 that disclaimer in there; that if it is natural, it is
6 minimally processed and no artificial ingredients.

7 But as we talked about earlier, as times have
8 changed and as we have moved on, there is a growing
9 concern and/or query from the consumer or the marketplace
10 itself that not only is there a concern or an interest in
11 how the meat product itself is processed, but there is
12 interest in the raising of that animal and bringing it to
13 the marketplace.

14 And so for -- this point is where we have
15 received the most inquiries to us and the request to move
16 forward with a clear definition of some raising claims.

17 So in other words, instead of just what -- how
18 that meat works, how was it raised, or how was the animal
19 that -- that that meat is derived from, how was it
20 raised; what was the environment that it was produced in.

21 What are the production practices that would
22 fall within a naturally raised claim?

23 Some of the initial initiatives that people
24 provided to us was the environment, the ration that the
25 animal is fed, and the health and maintenance of that

1 animal in addition.

2 And some of those other ideas to the right are
3 just some activities that have been brought to life and
4 the issues that we'll need to address as we move forward
5 into the development of the standard.

6 So what are the issues? Right now there's no
7 minimum standard or uniform standard for the term
8 "naturally raised" or the expectations that the consumers
9 have for some product that is sold in the marketplace
10 that makes the claim to naturally raised.

11 It doesn't mean that it's mislabeled. It just
12 means that there's no uniform minimum threshold for
13 people to make a balanced reference point to in their
14 value/price relationship when they're trying to make a
15 determination to purchase a product at retail or being
16 served in food service.

17 As Bill had pointed out earlier, FSIS reviews
18 these voluntary labeling initiatives on a case-by-case
19 basis. And at that point, even though they are truthful
20 and the scope of their program is encompassing and they
21 have the documentation to validate it, it may or may not
22 be consistent or have comparative analysis with another
23 program or another product that the consumer is trying to
24 identify with -- or as what I pointed out earlier, What
25 is the minimum standard for something to qualify in this

1 arena?

2 And a couple examples are the antibiotics and
3 growth promotants. Is it the never-ever program? Is it
4 during finishing, the last hundred days, or what is a
5 clear definition because each and every one of those in
6 and of themselves can be an accurate label-approved
7 process if the scope of the program is clearly defined to
8 FSIS and if the people are following what they said
9 they're going to do and can validate how they got to that
10 point.

11 These alternative livestock production
12 practices or voluntary claims and statements for FSIS are
13 practices that promote the use of negative labeling
14 claims such as in poultry where they can state that no
15 added hormones have been introduced in the production of
16 that animal. But in addition too of making that, they
17 have to also add the disclaimer that federal regulations
18 do prohibit the use of the hormones in production of
19 poultry.

20 To recap a little bit of what the current
21 status is for anybody that wants to make these naturally
22 raised claims is that they are evaluated on a
23 case-by-case basis by FSIS. They do have -- or could
24 have various program scopes or what encompasses the
25 nature of the program that is being submitted for

1 approval or that has already been approved.

2 And -- however, that everybody does have to
3 supply sufficient information to FSIS before they will
4 get approval of that label even though there is variation
5 of the scope of the programs that are out there or that
6 are looking for approval.

7 And so that does cause some confusion within
8 the marketplace for those consumers that are trying to
9 compare apples to apples or oranges to oranges, as the
10 statement sometimes goes.

11 So again that's another impetus of why we would
12 move to make a minimum requirement or a performance
13 standard for naturally raised, and so that at least
14 everyone would know that there are minimum requirements
15 out there for people to address and what the scope of any
16 program would have to encompass once it starts moving
17 forward through a USDA process verified program.

18 And again just to reiterate some of the points
19 that they would have to do through the current FSIS
20 program and which would also fall under a process
21 verified program that AMS would administer is the
22 producer has to have producer testimonials, production
23 protocols, and affidavits that validate what they do or
24 how they get to that point.

25 And in a few minutes, I want to show a little

1 bit of differentiation of what the expectations from FSIS
2 are in comparison to how AMS works through an ISO-based
3 program.

4 So what does AMS need to consider when we're
5 developing this program? What is the appropriate
6 standard for applying or extending the term "natural" to
7 livestock production? Is there a need?

8 We think there is, and that's why we've held
9 these meetings. But to what extent does that need to be
10 pulled out, and if it does -- falls under our auspices,
11 then we have certain requirements that we impose for
12 anybody to lay claim to the shield that we allow people
13 to use. And as long as they perform under the guidelines
14 that we provide them and have successfully been audited
15 by us or by a designated body through us, then they can
16 make those claims. They can use that shield in the
17 marketing of their product and demonstrate that they have
18 that independent, third-party verification through USDA
19 and AMS.

20 Will this claim provide clarity in the
21 marketplace? Again we think it will, and the basis of
22 that is that they are voluntary programs, so anybody that
23 is participating in these will follow or have to meet the
24 same standards. They will follow the same protocols in
25 presenting information to us that we can verify. The

1 scope will be minimally the same, and then when we
2 conduct our audits, they're based upon the
3 internationally recognized process of the ISO programs.

4 Out in the marketplace now -- these are just a
5 few examples of what's currently available that takes
6 some reference back to production activities or raising
7 claims. It's not an all-encompassing list, but it does
8 just give you some examples of what is out there that is
9 different than just the natural label approval. But
10 these do tie back to some type of production activity.

11 But when we're in that production activity,
12 what are some of the key issues that we need to look at?

13 Some of the things that I'm going to put up
14 here now are just some issues that people have brought
15 forward to us and have asked us, Is it going to be
16 included into the standard, or what is in fact the impact
17 of some of these various elements as we go -- move
18 forward.

19 So you can see confinement or housing,
20 free-range, or anything like that is an issue. Breeding.
21 Artificial insemination. Embryo transfer. Is there any
22 criteria in that, or is it affecting the perception of
23 the consumer as they move forward?

24 We're still, you know, open to suggestion or
25 comments in all of these areas, but they are areas that

1 we have been asked to investigate and take into
2 consideration as we move forward.

3 So just to reiterate a few things that Bill
4 pointed out earlier, what is the process that USDA and
5 AMS is going to do at this point?

6 As he pointed out, we've held a listening
7 session in Washington, D.C., on December 11th, we held
8 another one yesterday in Denver, Colorado, and this is
9 the final of three here in Seattle today to provide an
10 opportunity for the discourse with the public to get the
11 input that is -- helps us in the development of these
12 standards so that we can move forward with the intent
13 that they are expected to produce by use of input. And
14 we will go out and once we develop a proposed standard,
15 look for further input as we have it developed into the
16 framework that it would ultimately be presented in --
17 however, it is in a draft format -- and looking for
18 further clarifications at that point.

19 Besides these public input sessions, we have
20 also looked to experts within many of the industry areas
21 that this represents as well as academia and other
22 processors that might have the ability to help us go --
23 move forward in a clear and precise direction.

24 And as I said, we will develop a proposed
25 standard and again come out for request for comments to

1 make sure that we are addressing all of the issues that
2 are pertinent to people; the stakeholders that do have
3 concerns about where we're going or how we're going to
4 get there.

5 Whoops. Excuse me. As we move forward -- and
6 as we have -- already have out on this Website that is
7 shown up here, we will have the proceedings from each of
8 these listening sessions as we do have a court reporter
9 here taking the notes from the proceedings. And so that
10 will be made publicly available from this Website so
11 anybody can make reference to them.

12 We already have -- posting comments that have
13 been submitted to us either electronically or through the
14 normal mail channels. And as we move forward and develop
15 a draft document or any other pertinent document relative
16 to how we perceive that we're moving in this area, this
17 will be a good Website for everybody to look at to make
18 sure that you're as informed and up-to-date as we have
19 anything out there to be published or looked at.

20 With that, I will conclude my remarks, and I'll
21 turn it over to Tammie Myrick from the Food Safety
22 Inspection Service.

23 LABEL APPROVAL PROGRAMS OF FSIS

24 (PowerPoint presentation in progress.)

25 MS. MYRICK: Good afternoon, everyone. How are

1 you? I'm Tammie Myrick. I'm the project leader for FSIS
2 for the natural claim. And I'm going to go over some
3 information as far as the background information for
4 natural as far as FSIS is concerned.

5 Thank you, first of all, for coming. And thank
6 you, AMS, for inviting FSIS to participate in the
7 listening sessions.

8 I have been asked to present a brief overview
9 of the Food Safety Inspection Service Labeling Approval
10 Program for meat and poultry products.

11 The intent is to explain FSIS's authority
12 regarding product labeling, and how it relates to
13 marketing claims as they are applied to the labeling of
14 meat and poultry products and egg food products. I plan
15 on using some examples that are directly related to
16 today's meeting and topics.

17 As many of you may know, FSIS is the public
18 health regulatory agency that ensures that meat, poultry,
19 and egg food products shipped in commerce for human
20 consumption are safe, wholesome, and accurately labeled.

21 FSIS operates to implement this mandate under
22 the Federal Meat Inspection Act, the Poultry Products
23 Inspection Act, and the Egg Product Inspection Act.

24 FSIS conducts a prior label approval system
25 that is mandated by these laws as part of the Agency's

1 meat, poultry, and egg product inspection
2 responsibilities.

3 The Acts state that the Secretary of
4 Agriculture will authorize or approve the use of
5 labeling.

6 On a daily basis, FSIS Labeling and Consumer
7 Protection Staff applies them as branding provisions of
8 the FMIA, the PPIA, and the EPIA in making judgment about
9 whether the labeling of meat, poultry, and egg products
10 is accurate and truthful and not misleading.

11 The prior labels is among a variety of
12 responsibilities that the staff has. Its all, primary
13 purpose is to develop, implement, and communicate
14 national policies on meat, poultry, and egg products
15 labeling and compositional standards.

16 In general, all labels applied to meat,
17 poultry, and egg products destined for commerce are
18 subject to evaluation and approval by FSIS under the
19 prior label approval system requirements.

20 And just a little background on that. The FDA
21 is responsible for all nonmeat, poultry, and egg
22 products. They deal with the shelled eggs. And FSIS
23 deals with the meat, poultry, and egg products; that is,
24 those eggs that are -- products that are made from the
25 shelled eggs.

1 Labeling is evaluated for compliance with
2 required labeling features -- of which there are up to
3 eight -- depending on a particular product.

4 The required features for products produced
5 domestically and imported are: the product name; the net
6 weight; the handling statement, such as, keep
7 refrigerated, may be frozen, or keep frozen; the
8 inspection legend; the establishment number; nutrition
9 facts; safe handling instructions; the signature line;
10 and ingredient statement.

11 Manufacturers must show that labels comply with
12 requirements for these labeling features in order for the
13 label to be eligible to bear the USDA mark of inspection
14 or to be eligible for import or eligible to bear the USDA
15 mark with a foreign inspection legend.

16 Labels that bear the mandatory features and
17 that do not contain claims, special statements,
18 guarantees, or foreign language do not have to be
19 submitted to FSIS for evaluation before they are used.

20 There's a generic approval system that was put
21 in place in 1996, and it can be used by a company, if
22 they choose to, when they don't put any special claims on
23 the labeling.

24 However, today, as most of you have noticed, a
25 lot of claims come in, and most companies -- because of

1 the niche marketing area, they want to make the claims,
2 and you probably do too.

3 On the other hand, generally manufacturers of
4 domestic and imported products must submit to FSIS all
5 labels that bear voluntary claims, special statements for
6 evaluation, and approval by the FSIS Labeling and
7 Consumer Protection Staff before applying these labels to
8 products destined for commerce.

9 Today manufacturers of meat and poultry
10 products frequently make voluntary claims and statements
11 on labeling that are related to nutrient content such as
12 low fat or healthy; ingredient content such as gluten
13 free and no MSG added; processing methods such as uncured
14 and natural; and animal raising practices such as no
15 antibiotics administered. Claims in these areas have a
16 value in the marketing sense.

17 When claims and special statements are
18 declared, the labels submitted to FSIS for evaluation and
19 approval need to be accompanied by information that shows
20 that the claims are truthful and not misleading.

21 In some cases, for example, in the case of
22 nutrient content claims, specific provisions and
23 conditions for using the claims are in the meat and
24 poultry inspection regulations. In other cases, however,
25 the FSIS has established policy guidelines on voluntary

1 claims.

2 Many years ago, the Agency decided that policy
3 guides would provide a helpful and transparent way for
4 the Agency to set out factors that the Agency considers
5 in making judgments on whether labels bearing voluntary
6 claims are truthful and not misleading.

7 Policy guidelines are conveyed as policy memos
8 and entries in the FSIS Food Standards and Labeling
9 Policy Book, which I manage the updates that come out
10 hopefully yearly, but sometimes it's a little bit more
11 depending on...

12 Policy guides are conveyed as policy memos and
13 entries in the FSIS Food Standards and Labeling Policy
14 Book. Usually we develop a policy guide when we see a
15 trend developing in the marketing of products with
16 certain labeling features, statements, or claims that
17 have not been explicitly addressed by the Agency in its
18 regulations.

19 The guidance is intended to set out the
20 statutory provisions and regulations on labeling as they
21 apply to the developing trend and to provide consistent
22 and timely advice to help manufacturers develop labeling
23 that could be approved by the Agency.

24 One area of marketing claims with growing
25 interest is animal raising claims such as raised without

1 any antibiotics or no antibiotics administered and free
2 range. These types of claims are typically used on cuts
3 prepared from whole-muscle products.

4 The Agency's policy guide states that
5 submission of labels bearing such claims need to be
6 accompanied by production protocols and veterinary
7 records or testimonials and affidavits to support the
8 truthfulness of the claim.

9 For many uses of claims related to animal
10 raising practices, information to support the
11 truthfulness of the claim is provided by the fact that a
12 product [sic] has opted to have AMS to certify or verify
13 that the animals are produced in a manner acceptable for
14 the claims.

15 And in fact the FSIS labeling program and AMS
16 Livestock and Seed Program have historically worked
17 cooperatively to ensure that FSIS is apprised of the
18 standards AMS sets and its programs.

19 The reason for this is that in cases where
20 products [sic] elect to have AMS certify or verify that
21 the animals are produced in a manner claimed through an
22 AMS program, FSIS will accept the AMS program
23 certification to support the accuracy and -- of the
24 claims for FSIS label approval; another area in which its
25 interest in marketing claims has grown, thanks to the way

1 that meat and poultry products are processed.

2 In FSIS's historic view, the claim natural, as
3 it applies to the labels of meat and poultry products,
4 relates to the way the food is processed; in other words,
5 formulated and prepared. Not the way the animals for
6 which the food is derived are raised.

7 In 1982, in recognition of the industry's
8 growing interest in marketing products bearing the
9 voluntary claim -- for interest growing in marketing
10 products bearing the claim natural on labeling, FSIS
11 published a "Policy Memo 55" dated November the 22nd of
12 1982 on natural claims. It was intended to guide
13 manufacturers in the development of labeling and bearing
14 the claim natural that FSIS was likely to find truthful
15 and not misleading.

16 The policy guide states that the term "natural"
17 may be used on labeling for meat and poultry products
18 providing that the manufacturers of the products bearing
19 the claims demonstrate: (1) that the product does not
20 contain artificial flavor or flavoring, coloring
21 ingredients, or chemical preservatives or any other
22 artificial or synthetic ingredient; and (2) the product
23 and its ingredients are not more than minimally
24 processed.

25 Minimally processing was described as: (a)

1 those traditional processes used to make food edible or
2 to preserve it to make it safe for human consumption such
3 as smoking, roasting, freezing, drying, and fermenting;
4 or (b) those physical processes that do not fundamentally
5 alter the raw product or they only separate -- separate a
6 whole, intact food into component parts such as grinding
7 meat and processing food -- in pressing foods -- to
8 product -- to produce juices.

9 Relatively severe processes, on the other hand
10 -- for example, solvent extraction, acid hydrolysis, and
11 chemical bleaching -- were considered more than minimally
12 processing.

13 Thus the policy memo explained that the use of
14 a flavor, for example, that has undergone more than
15 minimal processing would in general mean that the product
16 in which the ingredient is used could not be called
17 "natural."

18 As with all labeling bearing voluntary claims,
19 information must be provided to FSIS to evaluate whether
20 the claim is natural, is truthful, and not misleading in
21 order to approve such labels.

22 For example, the source and process description
23 of ingredients need to be provided to FSIS if an
24 ingredient is not known to be minimally processed.

25 Many times advances in marketing, newer

1 processing methods that become commonplace, and new
2 ingredients that serve multiple functions test policies.
3 That is the case with natural today.

4 Over the past several months, FSIS has received
5 a growing number of requests for manufacturers to amend
6 the natural claim on processed products that result from
7 processing techniques and uses of ingredients that
8 probably would not have been found in use at the time the
9 policy was created.

10 For example, techniques such as high-pressure
11 processing, multiple-barrier packaging methods with
12 modified atmosphere packaging, and multiple-function
13 ingredients such as sodium citrate, sodium lactate, which
14 are regulated as flavoring agents and for antimicrobial
15 effects also.

16 FSIS understands that there is a significant
17 disagreement about aspects of the natural policy.

18 In October 2006, FSIS received a petition to
19 codify the definition of natural which I just described
20 in FSIS regulations. The Agency has received questions
21 about whether the products of new processing techniques
22 and packaging systems and multiple-function ingredients,
23 such as sodium lactate, can be fairly characterized as
24 natural.

25 FSIS has come to believe that these questions

1 about natural and processed products are best resolved
2 through rulemaking processes.

3 The Agency sought comments about the petition
4 it received in a public meeting that was held in
5 Washington, D.C., on December the 12th, 2006, and FSIS
6 will consider what we heard and received at the public
7 meeting and comments received in writing.

8 So far based on what -- I had talked to
9 Dr. Post today -- we've only received three written
10 comments since the extension. We've extended the time
11 from the December -- from the January 11th to the March
12 5th time frame.

13 So you do have an additional time to include
14 your written comments. But so far, in kind of question,
15 since there was such a push to extend the time frame,
16 we've only received three written comments thus far. So
17 we hope that you, if you haven't already, will send and
18 submit your written comments.

19 And that concludes my presentation. Thank you
20 very much, and please send in your comments for both.

21 MR. SESSIONS: Thank you, Tammie. We will now
22 begin the public input portion of our listening session
23 this afternoon, and those who wish to publicly comment
24 today will speak in the order which they signed in.

25 Speakers will be allowed three minutes to

1 present their comments. We do have a graphic green light
2 and yellow light and red light stoplight system here to
3 help the speakers meet the time frames.

4 Prior to providing your comments, please
5 provide your name and your affiliation with your company
6 or agency or whatever organization you are affiliated
7 with.

8 If you wish to provide AMS with written
9 comments, you can turn them in to us -- to Marty or
10 Dr. Smith or Darin Doerscher here or at the registration
11 table today, or you can provide them to us at the
12 naturallyraised@usda.gov e-mail address. And that's also
13 on the bottom of your agenda if you would like to do
14 that.

15 Again this is for the Naturally Raised
16 Livestock Claim. Any comment -- written comments you
17 want to provide are separate and apart from the FSIS
18 comments on the natural meat claims.

19 This goes without saying: We ask that you
20 respect the speakers when they are providing their
21 comments, and all that wish to provide comments will be
22 allowed to comment today.

23 So with that, we'll have our first speaker, who
24 is Darrell Wood, and he'll be followed by Mel Coleman.

25 Darrell?

1 PUBLIC/STAKEHOLDERS INPUT

2 MR. WOOD: Good afternoon. My name is Darrell
3 Wood, and I am the founder and president of Western
4 Grasslands, Incorporated, doing business as Panorama
5 Meats, Inc., of Vina, California.

6 We have 43 ranchers that supply us cattle
7 raised to the protocols we have developed that far exceed
8 the current definition of natural.

9 I'm a fifth-generation California cattle
10 rancher, and I'm proud to say that my son and daughter
11 are the sixth generation in our family involved in the
12 cattle business.

13 I am the board chairman of the California
14 Rangeland Trust and have worked diligently over the years
15 in helping to preserve wetlands and rangelands across the
16 state.

17 Minimally processed and no artificial
18 ingredients was first established some 24 years ago and
19 has sown the seeds of consumer confusion. It has
20 encouraged clever marketers to trumpet the word "natural"
21 on packages of their meat and poultry even though such
22 meat may have come from animals that were not naturally
23 raised.

24 The definition of natural must be consistent
25 across the industry and stretch from the birth of the

1 animal to its presentation as meat to the consumer.

2 Panorama is proposing that both FSIS and AMS
3 consider the term "naturally raised and processed" as a
4 complete definition of natural on meat or poultry labels
5 in order to eliminate confusion on anyone's part.

6 The term "naturally raised and processed" would
7 mean an animal raised with no hormones; no antibiotics
8 either fed or injected, including ionophores; no animal
9 by-products in the feeds; individual animal
10 identification from birth to processing; humane
11 treatment; environmental sternship; minimal processing;
12 and no artificial ingredients during processing; and the
13 meat and poultry process should be with no added
14 artificial ingredients or is -- minimally processing.

15 Again we ask the question: How do you take
16 meat or poultry from animals raised unnaturally with
17 growth stimulants and antibiotics and make the meat
18 natural by minimally processing it with no additional
19 ingredients?

20 Separating livestock raising practices from
21 processing and marketing when developing a definition for
22 natural will only add to the consumers' confusion.
23 However, the naturally raised process properly defined in
24 the force would eliminate any confusion.

25 FSIS and AMS must work together in concert on

1 the definition of natural for the greater consumer good,
2 not to mention food safety. Naturally raised and
3 processed encompasses both agencies' oversight and
4 purview.

5 We can have a different -- if we can have
6 different parts of the USDA cooperate under the organic
7 definition, then we can expect to work together on the
8 naturally raised and processed definition as well.

9 In conclusion any definition of natural must
10 stretch from the animals' lifestyle and their diet
11 through the processing and marketing of the meat and
12 poultry.

13 We are proposing that the naturally raised
14 process be the label and decoration for animals raised
15 naturally and meat and poultry processed naturally.

16 Thank you.

17 MR. SESSIONS: Thank you. Mel Coleman followed
18 by Dennis Stiffler.

19 MR. COLEMAN: Thank you. My name is
20 Mel Coleman, Jr. I'm with Coleman Natural Foods in
21 Golden, Colorado.

22 Coleman Natural Foods is a leading producer and
23 processor of natural and organic beef, pork, chicken, and
24 lamb products for today's consumer. Raising, processing,
25 and marketing natural and organic meat and poultry

1 products from livestock raised from birth without the use
2 of added growth hormones, growth modulators, or
3 antibiotics, and fed only grasses and feed rations which
4 never contain any animal by-products is the focus of our
5 business.

6 During this session I would like to
7 specifically discuss the importance of naturally raised
8 as it pertains and relates to the export markets.

9 In 1981, the definition for natural pertained
10 strictly to how livestock was raised despite the fact
11 that in 1982 when the natural definition was minimized
12 allowing all meat, fresh -- all fresh meat and poultry to
13 be labeled natural, the demand for naturally raised meats
14 and poultry continued to grow both domestically and in
15 export markets.

16 It's Coleman's belief that the livestock and
17 meat industry has been adversely affected by the dumbing
18 down of the natural definition in many export markets.
19 My opinion is that the European ban on hormones in 1989
20 would have not had as great of an impact on the -- on --
21 and in the U.S. beef industry had the 1981 natural
22 definition remained clear defining how livestock was
23 raised.

24 We also believe that the loss of export markets
25 in Asia and other regions as a result of the 2003 BSE

1 case in Washington may have been minimized had the
2 natural definition specific to the natural raising
3 process with no animal by-products allowed in the feed
4 rations been in place.

5 Looking forward to the future, a clear and
6 concise naturally raised definition is needed. A USDA
7 naturally raised definition and label would help open new
8 export markets and opportunities that may indeed assist
9 in the reopening of markets that have been totally or
10 partially closed to U.S. meat exports.

11 The naturally raised label that excludes the
12 use of antibiotics, added growth hormones, or growth
13 modulators and animal by-products, coupled with source
14 verification and strong animal welfare standards will do
15 four things: (1) provide producers a level playing
16 field in all natural programs; (2) bring clarity in
17 labeling to consumers at the point of sale regardless of
18 where the product is sold; (3) eliminate the temptation
19 of smoke-and-mirror marketing programs that misuse the
20 term "natural" on meat and poultry products; and (4)
21 bring a degree of leadership and the respect due back to
22 the U.S. meat and livestock industry in international
23 markets.

24 Thank you.

25 MR. SESSIONS: Thank you. Dennis Stiffler

1 followed by Mark Roberts.

2 MR. STIFFLER: Good afternoon. Dennis Stiffler
3 of Coleman Natural Foods.

4 Coleman Natural Foods represents a collection
5 of premier entrepreneurial founded companies, natural in
6 scope, specializing in producing, raising, and processing
7 natural and organic products.

8 It's Coleman's belief that the naturally raised
9 alternative livestock production and practice standards
10 should include animal well-being and care in production;
11 identification and source verification; certain raising
12 and feeding practices such as no antibiotic -- or no
13 animal by-products, no animal fats, no antibiotics, no
14 added hormones, growth modulators; and the resulting
15 product.

16 In addition, the application of any naturally
17 raised standard or claim should be applicable to all food
18 and livestock species including poultry.

19 FSIS's ingredient and processing claims must
20 tie in and work in concert with the scope of the AMS
21 livestock claims to be considered natural and satisfy
22 consumer expectations.

23 Through the efforts of numerous
24 producer-growers and natural marketers, natural has come
25 to be defined as products from alternative produced

1 livestock raised without the use of antibiotics or added
2 growth hormones; fed no animal by-products or animal
3 fats; and humanely and sustainably raised.

4 The term "natural" for single-ingredient muscle
5 meats must be reevaluated and redefined in the context of
6 these raising practices, not the product per se, in order
7 to appropriately identify and label meat and poultry
8 products.

9 A clear, defined standard would reassure
10 consumers that products meet consistent, uniform claims;
11 therefore, naturally raised using defined programs
12 supported by systems and processes that verify and
13 validate these standards and claims will better serve the
14 consuming public, reduce present confusion regarding the
15 term "natural," and ensure greater transparency in the
16 marketplace.

17 It will be important that AMS consult and
18 consider established industry standards and best science
19 to develop the naturally raised standards and claims.
20 These standards and claims should not be considered as
21 minimal thresholds, but should establish best science and
22 practices.

23 Careful consideration must be given to those
24 requirements that demonstrate through preapproved
25 certification, quality management systems, or third-party

1 accredited certification how, in fact, compliance with
2 developed standards and claims will be verified and
3 validated.

4 Coleman would support the concept of a producer
5 industry trade consumer advisory group similar to the
6 organic -- or the National Organic Standards Board that
7 would work directly with AMS in establishing, directing,
8 reviewing, and updating such standards.

9 Coleman commends AMS for this effort, and thank
10 you for your consideration.

11 MR. SESSIONS: Thank you. Mark Roberts
12 followed by Stephen Gray.

13 MR. ROBERTS: Good afternoon. I'm Mark Roberts
14 from the Hormel Foods Corporation.

15 Whether their concerns are for personal health,
16 the environment, sustainability, or traditional animal
17 raising, consumers want to be able to choose products
18 that align with their philosophies.

19 Manufacturers have worked successfully to
20 provide these choices and inform consumers through
21 product labeling.

22 Current labeling policies governing natural and
23 organic provide clear guidance as to the meaning of those
24 labeling claims. The natural policy and National Organic
25 Program regulations, as currently defined, address two

1 separate but related attributes of a given meat or
2 poultry product.

3 The natural policy addresses the ingredients of
4 a final product in the manner in which it is processed.
5 For almost 25 years, the natural policy has ensured that
6 products labeled natural do not contain artificial or
7 synthetic ingredients or chemical preservatives and are
8 minimally processed. It has never addressed animal
9 raising or handling practices. It should not be allowed
10 to do so now.

11 For those consumers who have such concerns, the
12 National Organic Program regulations go beyond the final
13 meat or poultry product to also address additional
14 aspects of animal raising and handling that prohibits the
15 use of antibiotics and addresses animal raising practices
16 such as healthcare, feed, and living conditions.

17 Consumers who wish to should certainly be given
18 the choice to select products that result from free-range
19 animals or animals that are antibiotic free or growth
20 promotant free or that have been raised in enriching
21 environments.

22 These requirements should not be imported into
23 the long-standing, well-understood natural or organic
24 policies; however, they should perhaps be the subject of
25 a separate, independent, traditionally or responsibly

1 raised labeling claim.

2 There is no reason that these three separate
3 categories cannot exist within the current labeling
4 regulations and policies. They are able to document the
5 truth -- if they're able to document the truth of the
6 claims, manufacturers can label their products natural
7 and organic and traditionally raised.

8 This will provide the most information to the
9 consumer and have the additional benefit of keeping the
10 claims separate in the consumers' mind.

11 And whereas these claims would be independent
12 and separately evaluated, they are not mutually
13 exclusive. Although a natural product may not qualify
14 for organic status because of, for example, the
15 administration of antibiotics, it does not follow that
16 the meat ingredient in the final product is somehow
17 unnatural.

18 The current meat supply is safe and wholesome
19 and free of chemical residues. It is natural. FDA and
20 USDA producers and manufacturers already ensure this is
21 the case.

22 FDA guidelines govern the approval of
23 antibiotics and withdrawal times. FSIS inspects all
24 carcasses and samples for residue levels. Hormones are
25 not permitted to be used in poultry or pork production.

1 Producers are certified under the National Pork Board
2 Quality Assurance Level 3 Program guidelines.

3 These and other programs developed and
4 administered by and in conjunction with the USDA/FDA
5 producers and manufacturers ensure that the products are
6 safe, wholesome, free of illegal residues, and are
7 accurately labeled under current policies.

8 The consumer interest is best served not by
9 eliminating choices through altering long-standing
10 policies that aren't well understood and serve their
11 particular purposes, but by adding the choice through
12 development of categories that address animal raising and
13 handling concerns to the extent they are not already
14 addressed in current policies.

15 Thank you.

16 MR. SESSIONS: Thank you. Stephen Gray
17 followed by Corbett Kluster.

18 MR. GRAY: Thank you. My name is Stephen Gray.
19 I'm the director of special projects for Springer
20 Mountain Farms located in Baldwin, Georgia.

21 Springer Mountain Farms specializes in chickens
22 that are raised with specific attributes such as grown
23 without antibiotics, chemical medicines, and fed an
24 all-vegetable diet.

25 We have submitted numerous labels to FSIS for

1 approval of products with unique attributes. We have
2 always found the staff at FSIS to be professional, well
3 informed, and fair during and after the review process.

4 We respectfully submit that the current
5 definition for all natural needs to be redefined or
6 clarified.

7 We have confirmed that with the utilization of
8 both groups that the consumer misinterprets or does not
9 understand "all natural" as defined by its current
10 definition. Many consumers believe the term "all
11 natural" applies to attributes about how the birds are
12 raised or how they are fed, just not how they are
13 processed.

14 The USDA emphasize -- standard principles
15 require that claims made on labels are not to mislead the
16 consumer and to meet the consumers' expectations.

17 While the original petition primarily focuses
18 on defining all natural ingredients used and for the
19 process and products, the petition also refers to reports
20 that found consumers' expectations of all natural to
21 include the importance of foods without antibiotics,
22 hormones, and preservatives.

23 The petition further cites food intolerance,
24 not just allergies, need to be redefined in the label.
25 Many consumers perceive the product produced with the use

1 of antibiotics, chemical medicines, and growth hormones
2 can result in the intolerance.

3 As the USDA seeks to redefine the term "all
4 natural," not only is it important to address the areas
5 approved for further processing of products, it is
6 equally important to address the protocol it uses in
7 describing the claims addressed in the way the animal was
8 raised.

9 The term "all natural" needs to specify,
10 define, and include appropriate terms and nomenclatures
11 to define these attributes.

12 Unlike the organic standards for meat that
13 allow for the use of antibiotics, the all natural
14 definition should never allow the use of antibiotics,
15 chemical medicines, hormones, or animal by-products.

16 I wish to reiterate that Springer Mountain
17 Farms has found working with FSIS and the staff to be
18 professional and informative when reviewing protocols to
19 support claims.

20 Each of the claims have been received and
21 reviewed on a case-by-case basis, backed with supporting
22 documentation and independent third-party certification
23 when necessary.

24 I resubmit the two claims: One for all natural
25 and one for naturally raised would continue to add

1 confusion to the consumer. One definition for all
2 natural should be used as a standard, resulting in a
3 label less confusing to the consumer market.

4 Thank you.

5 MR. SESSIONS: Thank you. Corbett Kluster
6 followed by Jeremy Russell.

7 MR. KLUSTER: Good afternoon. My name is
8 Corbett Kluster. I'm also with Fieldale Farms Poultry
9 Company out of North Georgia.

10 I do want to thank the FSIS for extending your
11 comment period, and my comments will relate to the --
12 more on the processing side.

13 The recent petition to codify the definition of
14 the labeling term "natural" is a welcome request when
15 speaking of defining meat and poultry products in the
16 manner in which they are raised. But the FSIS's reaction
17 to the petition with a presumption that certain
18 ingredients that have been approved are now suddenly
19 unacceptable is not welcomed.

20 To jump to exclusionary statements and policy
21 prior to the ability for them to provide public comment
22 from the main stakeholders circumvents the very reason
23 for a public comment period and open rulemaking process.

24 The current petition stating that issues of
25 consumer confidence and consistency in labeling do not

1 allow for exception in the labeling process is misguided
2 when one is talking about improving food safety.

3 As an example, the European Union sees the
4 value in some of these food safety exceptions in its
5 organic program. They have 29 exceptions, of which some
6 of those are food safety reasons. Sodium lactate is one
7 of those exceptions.

8 The greatest demand begging attention from
9 consumers and which requires the greatest attention is
10 that they receive a safe and wholesome product.
11 Ingredients which meet the definition of natural should
12 be allowed in all natural products to serve any needed
13 purpose, but especially if it serves to improve food
14 safety.

15 Consumer confidence is not eroded by allowing
16 any ingredients that meet the criteria of the all natural
17 definition through minimal processing such as smoking and
18 roasting, freezing and drying and fermenting to become
19 part of the product.

20 Lactates have been called out specifically in
21 the current petition as ingredients needing exclusion,
22 yet some of the lactates being used for flavor or as an
23 antimicrobial meet the definition of natural.

24 If the use of natural lactates in products
25 reduces the possibility of the presence of pathogens such

1 as listerias -- listeria monocytogenes, or reduces its
2 amplification, would not consumers prefer and even
3 welcome its incorporation into the product?

4 In closing, I would like to emphasize that
5 making immediate policy changes in light of the driving
6 force of the Hormel petition imposes undue hardship and
7 reflects an image of a knee-jerk reaction to those who
8 have made financial decisions based on the past label
9 guidance policy.

10 Thank you.

11 MR. SESSIONS: Thank you. Jeremy Russell.

12 MR. RUSSELL: My name is Jeremy Russell, and
13 I'm with the National Meat Association. Rosemary
14 delivered our comments also in Denver, as you know, and
15 she asked me to reiterate for the audience here, but
16 hopefully I won't belabor them.

17 Basically we're going to submit formal comments
18 on what we think natural might be defined as for raising
19 livestock later, but we would like to talk about the
20 process and that we don't feel that going through formal
21 rulemaking is really essential for this at this time and
22 that while we support a very public and transparent
23 process, we think that having a formal rulemaking will
24 delay things unnecessarily. So our comments today are to
25 that.

1 And as I said, I will submit the more formal
2 comments later. We also want to say we're glad to see
3 you working together with FSIS on this.

4 Our comments are available out front. Thank
5 you very much.

6 MR. SESSIONS: Thank you. That was our last
7 assigned speaker. We'll open the floor if there is
8 anybody else that would like to provide public comments
9 at this point.

10 Yes, sir. If you'll state your name and
11 affiliation, please.

12 MR. COLLIER: My name is Steven Collier. I'm
13 the vice president and director of operations for
14 Fieldale Farms Corporation in Baldwin, Georgia.

15 Fieldale Farm produces poultry and poultry
16 products in Georgia and South Carolina for the nation's
17 leading retailers and restaurants.

18 The terms "all natural" and "naturally raised"
19 have become confusing to the consuming public. In
20 general the consumer perceives natural to encompass
21 attributes concerning the way the animal was raised.

22 The latest qualifier for all natural and
23 minimally processed with no additives during processing
24 often prompts consumer questions that are as simple as,
25 What does this mean?

1 It is very apparent that the meaning of natural
2 needs to be clarified. Does the term refer to the
3 processing procedures and/or the ingredients or how the
4 animal was raised?

5 Currently the terms used and the definitions of
6 these terms need to be addressed. The definitions should
7 be written to ensure that they impart a clear
8 understanding to the consumer.

9 Additionally many consumers perceive that
10 natural implies that the animals were produced without
11 the use of antibiotics, chemical medicines, hormones or
12 steroids, an all-vegetable diet, and humanely raised.

13 We submit that definitions for antibiotic,
14 chemical medicine, ingredients used in the processing,
15 and ingredients that will be included in the rearing of
16 the animals whether or not -- and whether or not they
17 should be permitted as part of natural should be part of
18 this process of defining natural.

19 The definitions should clearly distinguish the
20 differences between the ingredients in the processing and
21 the ingredients that are used in the production of
22 animals.

23 It is equally important that any new standards
24 not imply or mislead the consumer into thinking that
25 conventionally raised products are less than wholesome or

1 that they are not safe. To do so could seriously
2 jeopardize the American producers' ability to compete in
3 an international market.

4 The USDA has a difficult task to provide
5 definitions and criteria that are confusing to the
6 consuming public at this time.

7 Consumers are increasingly asking for products
8 that are raised with no antibiotics and no chemical
9 medicines and no hormones and no steroids, all-vegetable
10 diet and humanely raised.

11 These attributes are increasingly important to
12 consumers. Notwithstanding, care must be taken
13 concerning the use of ingredients during processing. Any
14 new definition of natural should not preclude the use of
15 processing aids, technologies, or ingredients that are
16 essential to enhance food safety.

17 Thank you for your time.

18 MR. SESSIONS: Thank you. I would again open
19 the floor for those wishing to make public comment at the
20 listening session.

21 (No audible response.)

22 MR. SESSIONS: Seeing that there doesn't appear
23 to be any more, I will close the meeting at this time.

24 CLOSING COMMENTS

25 MR. SESSIONS: I want to thank each and every

1 one of you for coming today. We do appreciate the
2 guidance that you have offered. We will use that as we
3 move forward in our deliberations to develop a consensus
4 standard.

5 As a reminder, we do have the certified court
6 reporter here today. She will provide us a transcript of
7 all of the proceedings here, and it will be posted on our
8 Website. And that location is also at the bottom of your
9 agenda.

10 I would also remind you again that you can
11 continue to submit written comments to us through the
12 e-mail address or to us today if you would like. We will
13 consider those in our deliberations.

14 Your input is very important to us. We want to
15 continue to work together, and we will -- to the extent
16 possible, we will expedite the development of the
17 naturally raised livestock claim.

18 Thanks again, and we appreciate you taking time
19 to be with us today. Thanks.

20 MR. GRAY: You mentioned the length of how long
21 this might take, but can you kind of explain the length a
22 little bit? Are we looking at some kind of a program --
23 like the organic program took eight years to get
24 developed, or are you going to be looking more towards
25 the policy or are you looking to the rulemaking or is it

1 going to be a combination of or -- give us a little bit
2 more, if you would, on it, please.

3 MR. SESSIONS: I will to the extent that I can.

4 Did everybody hear the question?

5 He was asking basically to describe the process
6 that we'll be going through to develop this -- the claim
7 and also to some time frames.

8 Again AMS's focus is on the naturally raised
9 livestock claim -- marketing claim standard. Our
10 colleagues in FSIS are focusing on the natural ingredient
11 claim for processed meat products.

12 We are going to both receive input on each of
13 those areas, our respective areas, and we're going to
14 collaborate over the next few months and then we will
15 hopefully in some form or fashion to the extent we can
16 or -- that deems practical or if there is a consensus to
17 do so, those standards may be married up; they may not be
18 married up. They may remain separate. I don't know at
19 this point. That remains to be seen.

20 I will tell you that we will collaborate and
21 work closely with our colleagues at FSIS as we move
22 together on -- and then essentially on parallel tracks on
23 this. And at some point if they come together, fine. If
24 they don't, then we'll go from there.

25 If we do propose a naturally raised livestock

1 claim, we will put that out as a notice in the Federal
2 Register. That is not formal rulemaking per se. That
3 would just be a -- the standard will be put out as a
4 notice for public comment. We'll receive comments,
5 evaluate those comments, resolve them, and then at some
6 point, if appropriate, we'll issue a final marketing
7 claim standard for that.

8 Again I can't speak for FSIS, but we will work
9 together jointly on this. At least from our part, we
10 plan to move as expeditiously as possible as we go
11 forward and move this thing forward.

12 MR. GRAY: Should we be submitting --
13 Ms. Myrick had mentioned earlier about submitting to the
14 FSIS our comments.

15 Should we have separate comments going -- one
16 to the AMS side and one to FSIS?

17 MR. SESSIONS: At this time theirs is a
18 regulatory function, and I would encourage you to
19 strictly follow their process for submitting comments.

20 And I think -- did you say that yours are due
21 by March the 11th?

22 MS. MYRICK: March the 5th.

23 MR. SESSIONS: March the 5th. Theirs is due on
24 the natural processing claim.

25 Again ours is more of an informal process, and

1 I would encourage you to submit comments directly to us
2 on the naturally raised portion of this.

3 MR. GRAY: Thank you.

4 MR. SESSIONS: And then we'll coordinate with
5 FSIS as this thing gets married up, you know, possibly
6 down the road.

7 MR. GRAY: Thank you.

8 MR. SESSIONS: Okay. Any other questions
9 before we adjourn? If not, thank you very much. I
10 appreciate your input today.

11 Thanks.

12 (Whereupon, at 2:07 p.m., the listening session
13 was concluded.)

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C E R T I F I C A T E

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I, SHELBY KAY K. FUKUSHIMA, a Certified Shorthand
Reporter and Notary Public in and for the State of
Washington, do hereby certify that the foregoing
transcript is true and accurate to the best of my
knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand and
seal this _____ day of _____, 2007.

SHELBY KAY K. FUKUSHIMA, CCR

My commission expires:
June 29, 2009